

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
Southern Division

FILED  
JAN 17 2024

CLERK'S OFFICE  
DETROIT

UNITED States of America  
Plaintiff

✓ POOR QUALITY ORIGINAL

Case No. 17-cr-20644

Hon. Paul D. BORMAN

LEANDER MANN  
Defendant

MANN'S reply to Government's Response to  
Motion to Reduce Sentence

Introduction

The Government concedes that MANN exhausted his Administrative remedies And that the only points of contest is that he failed to provide extraordinary And compelling reason to disturb his sentence And that he's not demonstrated that the 3553(a) factors favor reduction. This view is not only false based on the Federal Sentencing Guidelines Manual 1B1.13(h)(3)(c) (U.S. Sentencing COMM'n 2023) Assertion that the "incarceration of the defendant's parent when the defendant would be the only available caregiver for the parent," is an extraordinary And compelling reason for a reduction in the defendant's sentence. The Government's claim that MANN provided no medical records is false AS well. AS I would like to direct the Court to MANN's Motion to Supplement the Record back to Motion for Reduction in Sentence /Compassionate Release dated: 12/4/23. Yet, allow the Government's

Exhibit 2 from Dr. David Schwartzfeld, D.O. states "She requires Assistance with her Activities of daily living including transfers to and from her wheelchair, bathing, toileting, And getting dressed" which is exactly what the defendant stated when he stated, "... combined with the lack of oxygen to her brain... has left her incapacitated And in need of Around the clock care for the basics in her quality of life," in his original Motion (Factual Background #1 last 3 lines.) The Government's use of U.S. v. Lemons, NO. 22-5500, 2023 U.S. App. Lexis 1348, at \*7 (6th Cir. Jan. 19, 2023) in this instance fails to hit the target because Not only does the Medical records Mainly Start with his Supplement Motion State she is incapacitated but both Government Exhibits (1 & 2) State that Tanya Fox is Incapacitated And Unable to care for herself.

Furthermore, Mr. MAIN has established why he was the only available caregiver, because she has no spouse or significant other And neither of Ms Fox other 2 sons (Rayford or Anthony MAINS) are Mentally or Physically Capable of Assuming the responsibility. As you can clearly see by the Government's Ex. 1 the guardian in this instance was only recently appointed by the court on 12-13-23 And is Not a Family Member but an institution. This in of itself shows the court the lack of family besides the defendant that's Able And willing to Assume care. The current guardian is inappropriate because there're not family And the love And care that Ms. Fox will be cared for

At home by her son is not being displayed where she is being held.

MANN doesn't Assume that his mom's placement in a long term care facility was due to no one being available to care for her. He knows this because he's talked to his family and no one is willing or able to assume the task. The Government insist that because of her condition... "Specially trained professionals are needed to provide care." And once again that's false. Dr. David Schmetzenfeld stated in the Government's Ex. 2 "She requires assistance with her activities of daily living...". Not "specially trained professionals". In fact they (being the Manor of Farmington Hills) need professional help when something goes wrong as "Ms. Fox was recently hospitalized". Ex. 2 of course the primary care physician opinions that "her needs are being best met at the Manor of Farmington Hills". (Gov. Ex. 2) It would be foolish not to. But in the Defendant's defense there is no special training needed to "assist (his mom) with her daily activities of living including transfers to and from her wheelchair, bathing, toileting and getting dressed" as the Gov. Ex. 2 states. This is the same requirement in raising children and who provides qualifications for that?

The Defendant's assertion of providing financial support is highly likely. He has done the research and not only is the plant a "Golf & Country" home plant with the Manor's qualifications in "standing" and such. Not to be "Credibly Assumed" being

Safety, And SaP Computer Knowledge IF he doesn't get a job there He'll get a job At Somebody's plant (SEE Defendant's Ex.B. letter of Rec. From UNICOR Supervisor).

MAVIN'S Mother's health And incapacitation "Alone" May not be extraordinary And Compelling to warrant release but rather the combination of MAVIN'S Mother's incapacitation, his remarkable rehabilitation, Him catching Covid (AS the Government mentioned his first two Compassionate Release during this response ECF NO. 127) And his own health problems (Diabetes, High blood pressure etc) AS A constellation of circumstances establishing extraordinary And Compelling reasons it should consider in the Courts totality of circumstances Analysis. See, eg. U.S. v. Owens, 996 F.3d. 755, 2021 WL 1811538 at \*7 (4th Cir 2021) ("The district Court... should have determined whether the combination of all three factors [First Step Act's changes to 924(c) the fact that Owens received an effective life sentence, namely AS A penalty for choosing to go to trial, And Owens remarkable rehabilitation] warranted Compassionate release"); U.S. v. Edmond, NO. 17-cr-398, 2021 WL 1234509 at \*2 (E.D. N.C. Apr. 1, 2021) ("The Court need not decide whether ANY of these factors - his medical conditions, the Covid-19 outbreak, or his Mother's incapacitation AS COEXISTING Standing Alone, would constitute extraordinary And Compelling reasons for Compassionate release. Considering the unique circumstances



bination of circumstances for this particular defendant, the court finds that he has shown extraordinary and compelling reasons for compassionate release. "); U.S. v. Jones, NO. 93-CR-81138, ECF NO. 393, Order ECF NO. 396, Mt. Hlg. Tr., Page ID. 2531 (relying on "a constellation of circumstances" collectively in finding extraordinary and compelling reasons); Whalen, NO. 13-cr-18, 2020 WL 6119321, at \*7 (holding that "No single factor" warranted release but "Several factors combine [d]" did) (citations omitted). Even the Government Admits by their own Assertion that "MAVIN's Mother's Medical illness... they do create an extraordinary and compelling reason to reduce his sentence." (Last sentence of first paragraph page 12).

MAVIN can show that the Sentencing Court's Analysis would be different if sentenced today.

Mr. MAVIN would like to consider the following statement, "To err is human but to forgive is divine." No person alive wishes to be forever held or judged by the worst mistake that they made in their life. Mr. MAVIN is also inclined to believe that this is the Court's belief as the Supreme Court has explained, "evidence of post offense rehabilitation provides the most up to date picture of a person's history and characteristics. Reppert v. U.S., 548 U.S. 476, 492 (2011). The Government wishes to tell us who Mr. MAVIN was

by way of conviction (the past) not who Mr. MANN is by his rehabilitative efforts (who he is today). Look at Mr MANN'S Ex. B (Letter of UNICOR Supervisor) telling you the MAN he is today, or his clear conduct institutional record, or HIS Ex. D Program Education completion, or ~~Ex E~~ his FSA RISK ASSESSMENT Score for General And Violence being Low recidivism risk. Just to NAME A Few. All the Government can say is, "Look at who Mr. MANN "was" or "use to be" because if they could claim something "today" it would have been in their oppositional Response And the Court Knows it. which goes the saying, "Every saint has A past And every sinner A future." Now Mr. MANN is not claiming to be A saint by Any stretch of the word or definition but Courts have released more "egregious" crimes And criminal History's than Mr. MANN'S with less extraordinary And Compelling reasons, See e.g. Sweet, No. 07-20369, 2002 WL 1430836 (releasing MAN convicted of raping And sexually Assaulting A special needs child who previously murdered his wife despite being fully-vaccinated.)

And Even when A crime is "egregious" when it is "ultimately non-violent" (AS Mr. MANN'S crime is A non-violent low level drug crime) there can be safeguards to ensure [he] "continues to serve his term to completion And

Comply with Court guidelines "while on supervision.  
 U.S. v. Al-Jumail, No. 12-20272, 2020 WL 2395-  
 224, at \*5 (E.D. MICH. MAY 12, 2020)

The ultimate point is this, there's no statute or precedent for when A MAN has made it up in his mind AND heart that he's done living the life he once lived. This comes about through soul searching, self inflection, AND just plain old being tired of doing the same thing ~~and~~ (crime) AND getting the same results (incarcerated). The Government is right, for nearly 30 yrs. MANN has been incarcerated. Since 1996 MANN has been on the streets for less than 21 months for non-violent offenses.

Mr. MANN is tired AND done! He's tired of doing time AND tired AND done committing crimes that will cause him to endure such a fate. He's desperately needed to take care of his Mother AND that's all he wishes to do. Mr. MANN can promise this Court that He will not be a danger to the community because he no longer has it in his heart or mind to break law. And he knows that any further criminal activity will subject my Mother to once again being alone AND with anyone to care for her adequately, AND basically garner me a life sentence. And that's not something Mr. MANN wants on either fronts.

Conclusion

Mr. MANN has both established extraordinary  
And Compelling reason to reduce his sentence,  
As well AS, A constellation of reasons why  
the Court would sentence him differently  
if he was sentenced today. For the foregoing  
reasons This Court should grant MANN'S  
Motion for Reduction in Sentence.

Respectfully Submitted,  
~~Leander Mann~~ Pro Se  
Leander Mann Pro Se  
USM #55849-G39  
FCI Coleman Low  
PO. Box 1031  
Coleman, FL - 33521

Dated! January 9, 2024



# EXHIBIT D

EDUC. PROGRAM COMPLETION LIST

COLFG \* INMATE EDUCATION DATA \* 12-15-2023  
 PAGE 001 OF 001 \* TRANSCRIPT \* 11:07:10

REGISTER NO: 55849-039 NAME...: MANN FUNC: PRT  
 FORMAT.....: TRANSCRIPT RSP OF: COL-COLEMAN LOW FCI

## ----- EDUCATION INFORMATION -----

FACL	ASSIGNMENT	DESCRIPTION	START DATE/TIME	STOP DATE/TIME
COL	ESL HAS	ENGLISH PROFICIENT	04-14-2021 0944	CURRENT
COL	GED HAS	COMPLETED GED OR HS DIPLOMA	04-14-2021 0945	CURRENT

## ----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
COL	SHU BASIC MATH PART 1	08-18-2023	11-17-2023	P	C	P	10
COL	SHU VOCAB WORDS TO KNOW PART 1	08-18-2023	11-17-2023	P	C	P	10
HAF	ACE: ELECTRONIC LAW LIBRARY	10-24-2022	12-01-2022	P	C	P	10
HAF	SELF-STUDY ACE: INFO TECHN 2	07-19-2022	07-21-2022	P	C	P	3
HAF	FCI ATHLETE & EFFICIENT HEARTS	06-18-2022	06-25-2022	P	C	P	3
HAF	SELF-STUDY ACE: MONEY SKILLS	05-24-2022	05-31-2022	P	C	P	3
HAF	SELF STUDY ACE: AMERICAN LIT	05-03-2021	05-07-2021	P	C	F	3
HAF	SELF-STUDY ACE: HOW TO LEAD	06-14-2021	06-18-2021	P	C	P	3
HAF	SELF-STUDY ACE: INFO TECHN 4	06-28-2021	07-01-2021	P	C	P	3
HAF	SELF-STUDY ACE: INFO TECHN 3	05-10-2021	05-14-2021	P	C	P	3
HAF	SELF-STUDY ACE: INFO TECHN 2	05-10-2021	05-14-2021	P	C	P	3

G0000 TRANSACTION SUCCESSFULLY COMPLETED

# Exhibit-E

FSA Recidivism Risk Assessment  
Score Both for General & Violent Risk  
Assessment Low

## FSA Recidivism Risk Assessment (PATTERN 01.03.00)

Register Number:55849-039, Last Name:MANN

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Register Number: 55849-039

Inmate Name

Last.....: MANN

First.....: LEANDER

Middle.....:

Suffix.....:

Gender.....: MALE

Risk Level Inmate.....: R-LW ←

General Level.....: R-LW (39) ↗

Violent Level.....: R-LW (16) ↗

Security Level Inmate: LOW

Security Level Faci...: LOW

Responsible Facility.: COL

Start Incarceration...: 11/01/2019

## PATTERN Worksheet Details

Item: Programs Completed, Value: 9

General Score: -9, Violent Score: -3

## Risk Item Data

Category	Assignment	Start	Stop
DRG	ED COMP	01/11/2022 09:00	
EDC	SS INFO3 M	05/10/2021 00:01	05/10/2021 00:01
EDC	SS LEADERM	06/14/2021 00:01	06/14/2021 00:01
EDC	SS INFO4 M	06/28/2021 00:01	06/28/2021 00:01
EDC	SS MONEY M	05/24/2022 00:01	05/24/2022 00:01
EDC	SS INFO2 M	07/19/2022 14:55	07/19/2022 14:55
EDC	FCI LAW	10/24/2022 00:01	10/24/2022 00:01
EDC	SHU MATHB1	08/18/2023 12:24	08/18/2023 12:24
EDC	SHUVOCAB 1	08/18/2023 12:26	08/18/2023 12:26

Item: Work Programs, Value: 1

General Score: -1, Violent Score: -1

## Risk Item Data

Category	Assignment	Start	Stop
WRK	UNICOR 3	10/12/2023 08:06	

## Certificate of Service

I hereby certify that on January 10, 2024  
I MAILED MANN'S Reply to Government's  
Response to Motion to Reduce Sentence to  
the Clerk of the Court At 231 W. LAFAYETTE Blvd.  
Rm 564 • Detroit, MI. 48226 via U.S. MAIL AND  
institutional MAIL, which will send notification  
to All parties

Respectfully Submitted,  
Leonard Mann Pro Se  
LEONARD MANN Pro Se  
USMA# 55849-039  
ECT Coleman Law  
Coleman, FL 33521



